



January 31, 2007

Subject: The Land Development Ordinance Committee

The Land Development Ordinance Committee (LDOC) met Wednesday, January 31, 2007, at 4 p.m., in the second floor Seminar Room located at The Plaza, 100 W. Innes Street, to discuss rewriting Salisbury's ordinance code. In attendance were Jake Alexander, George Busby, John Casey, Steve Fisher, Mark Lewis (Co-chair), Brian Miller, Rodney Queen, Jeff Smith, Bill Wagoner, and Victor Wallace.

Absent—Karen Alexander, Bill Burgin (Co-chair), and Phil Conrad

Staff Present—Cody Froelich (intern), Janet Gapen, Patrick Kennerly, Dan Mikkelson, Preston Mitchell, Diana Moghrabi, Joe Morris, David Phillips, Lynn Raker, Patrick Ritchie, and Gail Elder White

The meeting was called to order with Mark Lewis (Co-chair) presiding. The minutes of the January 24, 2007, meeting were approved as published.

RECREATIONAL OPEN SPACE STANDARDS

- Gail Elder White opened the discussion using the example of the area around Kelsey Park. Monies from fee in lieu could add amenities—even if it is just to add a picnic area.
- Victor Wallace pointed out inconsistencies in the standards for the first lots in subdivisions.
- Staff had believed that this chapter could be completed with a brief discussion, but there was a great deal more discussion on the chapter. Many of the recommended changes were initially made directly to the chapter while viewed by the committee on a screen. Toward the end of the discussion, it became apparent that some of the changes would have to be discussed by staff at their Monday meeting to work on the language.

- The chart from page 7-3 was changed to the following.

Recreational Open Space Type	Notes
1. Playgrounds	Buildable lots within a development shall be within a 1/4-mile radius of one of these open space types
2. Mini-Park	
3. Neighborhood Park	
4. Greenway or Linear Park (Access Point)	
5. Golf Course	This category may not exceed 75% of the total required open space
6. Unique or Special Area	This category may not exceed 50% of the total required open space

Preston Mitchell “cleaned up” the language on mini park.

2. MINI-PARK

A mini-park is characterized by its relatively small size (20,000 square feet up to 5 acres) and its specialized facilities, which could be planned to serve a specific segment of the population (i.e. small children or senior citizens). The service area for a mini-park is less than 1/4 mile.

Mini-parks may be formal such as an attached squares, plazas, forecourts, or detached squares, or informal such as a green.

At a minimum, mini-parks shall include seating areas, pathways, lighting, landscaping, and irrigation and/or water taps.

Minimum Street Frontage: 25% of perimeter

The following was read aloud and it was decided staff would speak to the finance department about this.

7.1 Payment in Lieu of Allocation

The City Council may, at its discretion, accept either an equitable amount of land in another location or a payment to the City in lieu of allocation. A combination of recreational open space allocation and payments-in-lieu of allocation may be permitted.

- A. Payments in lieu of allocation shall be approved by City Council. The value of such payment shall be 300% of the predevelopment tax value of the required recreational open space area. All payments shall be made at the time of Final Plat approval. Failure to submit the required payment along with such applications will delay approval of such submissions until payment is rendered. All funds received for payment in lieu shall be deposited into a special Parks & Recreation Development fund. Collected payments, including accrued interest, shall be expended solely for the acquisition, development, or rehabilitation of public recreational space within the City based on the Parks & Recreation Master Plan. Collected payments shall be expended within a budgetary year no more than 10 years after receipt of the

recreation improvement request. If such payments are not so committed, these payments shall be distributed and paid to the then record property owners of the subdivision in the same proportion that the size of their lots bears to the total area of all lots in the subdivision.

At this point the committee suggested that the exemptions previously discussed be moved to this section. (7.1) Only when these ~~3~~-three circumstances are met may a property qualify for the payment in lieu option.

- Contains less than 50 proposed dwelling units, and
- Is located less than ¼-mile radius from an existing or planned public park (or public school with recreational facilities accessible to the general public), and
- Includes a proposed connection to the park or school by sidewalk or greenway trail.

~~12~~-Twelve or fewer units are exempt from recreational open space.

CHAPTER SUMMARIES

Lynn Raker reopened the discussion on Chapter 8. Some members suggested that properties be required to meet either street yard or street tree provisions, but not both. (~~8.7~~(8.7, 8.8) After further discussion, it was decided that Lynn would work with Bill Burgin to return a recommendation. Consistency with trees is needed between zoning districts on major corridors.

8.9. E. Bulk Dumpsters in Parking Areas: dumpster screening is described in Chapter 4, so this section was removed from Landscaping chapter.

There were two items that still needed a consensus. They will be discussed with Bill Burgin at Monday staff meeting.

- Street tree requirements
- Low screening (between parking lots and street)

This discussion was postponed for two weeks.

Dan Mikkelsen opened the discussion on Chapter 9, INFRASTRUCTURE, PLATTING, AND CONNECTIVITY. He suggested stormwater drainage be taken into consideration when considering rezonings. Section 9.2B hit a snag. Thoroughfare plans may not happen for 30 years, if ever. Should the city hold the developer to a higher level? Preserve land?

Discussion on this chapter will resume at a later meeting.

OTHER BUSINESS

Joe Morris distributed an updated schedule of meetings.

| Jake Alexander distributed an article titled “Are Suburbs ~~really~~ Really a Sin?”

The next meeting will be in the same location Wednesday, February 7, at 4 p.m.

The meeting was adjourned at 6:00 p.m.

DM